

# CITY of ALBUQUERQUE

## FIFTEENTH COUNCIL

COUNCIL BILL NO. R-03-220 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Tina Cummins, by request

1 **RESOLUTION**

2 **ADOPTING POLICIES TO GOVERN THE DISPENSING OF ALCOHOLIC**  
3 **BEVERAGES AT MUNICIPAL GOLF COURSE FACILITIES AND REPEALING**  
4 **AND SUPERSEDING R-01-326 (ENACTMENT 147-2001).**

5 **WHEREAS, the Council enacted R-01-326 (Enactment 147-2001) to adopt**  
6 **policies governing the operation of governmental liquor licenses at municipal**  
7 **golf courses; and**

8 **WHEREAS, the City has leased the governmental liquor licenses to the**  
9 **concessionaires at the licensed municipal golf courses.**

10 **WHEREAS, the leases specify the areas of the licensed municipal golf**  
11 **courses where the City permits its' concessionaires to sell and serve alcoholic**  
12 **beverages.**

13 **WHEREAS, since the adoption of R-01-326, the licensed premises**  
14 **authorized by the State Alcohol & Gaming Division commissions for the sale**  
15 **and service of alcoholic beverages at Arroyo del Oso and Ladera Golf Course**  
16 **facilities have expanded to include the entire golf course; and**

17 **WHEREAS, since the adoption of R-01-326, the authorized area in the lease**  
18 **and the licensed premises at the Los Altos golf course is the clubhouse,**  
19 **gazebo, and Holes 10 through 18.**

20 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**  
21 **ALBUQUERQUE:**

22 **Section 1. That it shall be the policy of the City to require the following in**  
23 **any agreement to operate or lease a governmental liquor license at a**  
24 **municipal golf course facility:**

25 **A. Alcoholic beverages shall be dispensed in the area designated**  
26 **by the State Alcohol & Gaming Division as the licensed premises;**

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1           B.     All liquor license operators, lessees and alcohol servers at  
2     municipal golf course facilities shall complete all training required pursuant to  
3     the State Liquor Control Act and the Alcohol Server Education Act;

4           C.     Pursuant to the State Liquor Control Act, only beer and wine  
5     may be dispensed at the City's municipal golf course facilities and the City  
6     shall further require that beer and wine be served:

7                     1.     Only by trained alcohol servers;

8                     2.     In the licensed premises at all municipal golf course  
9     facilities, other than Ladera Golf Course, not prior to noon on Sundays and  
10    11:00 a.m. on all other days or after 7:00 p.m.;

11                    3.     At Ladera Golf Course:

12                         i.     In all areas of the licensed premises, other than  
13    the restaurant and banquet facilities, not prior to noon on Sundays and 11:00  
14    a.m. on all other days or after 7:00 p.m.;

15                         ii.    In the restaurant, not prior to noon on Sundays  
16    and 11:00 a.m. on all other days or after 9:00 p.m.;

17                         iii.   At special events in the banquet facilities not prior  
18    to noon on Sundays and 11:00 a.m. on all other days or after midnight; and

19                     4.     At Los Altos Golf Course, liquor shall not be sold while  
20    the adjacent school facility is in session, or one half hour thereafter; and

21                     5.     Only by the drink.

22           D.     The City shall be indemnified and held harmless by the  
23    operator and/or lessee of the governmental liquor license against all liability,  
24    claims, damages, losses or expenses resulting from the lease or operation of  
25    the license. The City shall require a liquor license liability policy with liability  
26    limits in an amount not less than one million dollars, and the City shall be  
27    named an additional insured on the policy.

28           E.     Each agreement to operate and/or lease a governmental liquor  
29    license for a municipal golf course facility shall be subject to an annual audit.

30           F.     Each agreement to operate and/or lease a governmental liquor  
31    license for a municipal golf course facility shall be coordinated and evaluated  
32    with any other agreement regarding the operation of that municipal golf  
33    course, including the Concession Agreement. The agreements shall not be

1 inconsistent with regard to duration of the agreements and termination and  
2 renewal clauses, though the term of the agreement to operate and/or lease a  
3 governmental liquor license may be shorter than the term of other agreements  
4 for the operation of the golf course.

5 G. The City shall enter into negotiations with the concessionaires  
6 at the licensed municipal golf courses to amend the various Concession  
7 Agreements to provide that the City shall receive up to 35%, but no less than  
8 15%, of gross revenues received from the sale and dispensing of alcoholic  
9 beverages at municipal golf course facilities as consideration for expansion of  
10 the authorized premises for the sale and service of alcoholic beverages..

11 Section 2. R-01-326 (Enactment 147-2001) is repealed and superseded by  
12 this resolution. This resolution shall become effective immediately upon  
13 approval by City Council and signature by the Mayor.

14 Section 3. Liquor served off club house premises shall be approved for  
15 one year subject to renewal and approval by the Council.

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